



PTO/SB/21 (08-03)

Approved for use through 08/30/2003. OMB 0651-0031  
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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

|   |                        |                   |
|---|------------------------|-------------------|
| <b>TRANSMITTAL FORM</b><br>(to be used for all correspondence after initial filing) | Application Number     | 10/601,687        |
|   | Filing Date            | June 23, 2003     |
|   | First Named Inventor   | THOMAS C. RUSSELL |
|   | Art Unit               | 2127              |
|   | Examiner Name          |                   |
| Total Number of Pages in This Submission  | Attorney Docket Number | M02A442           |

**ENCLOSURES (Check all that apply)**

|   |  |  |
|---|--|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input checked="" type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/<br>Incomplete Application<br><input checked="" type="checkbox"/> Response to Missing Parts<br>under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a<br>Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance communication<br>to Technology Center (TC)<br><input type="checkbox"/> Appeal Communication to Board<br>of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC<br>(Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please<br>Identify below):<br>Original Oath and Appln. as filed Assignment<br>and Recordation Sheet; Power of Attorney;<br>Ret. Rec. PC |
| <b>Remarks</b><br>Petition Under 37 CFR 1.47 (b) and in Response to Notice of Missing Parts of Nonprovisional Appln.<br>PTO/SB/22(1)  |  |  |

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

|                               |   |
|-------------------------------|---|
| Firm<br>or<br>Individual name | The BOC Group, Inc.<br>575 Mountain Ave.<br>Murray Hill, NJ 07974 |
| Signature                     |   |
| Date                          | July 7, 2004  |

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

|                       |               |      |        |
|-----------------------|---------------|------|--------|
| Typed or printed name | PHYLLIS SKROK |      |        |
| Signature             |               | Date | 7/7/04 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 2,270

## Complete if Known

|                      |                   |
|----------------------|-------------------|
| Application Number   | 10/601,687        |
| Filing Date          | June 23, 2003     |
| First Named Inventor | Thomas C. Russell |
| Examiner Name        |                   |
| Art Unit             | 2127              |
| Attorney Docket No.  | M02A442           |

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number 02-2865

Deposit Account Name The BOC Group, Inc.

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Entity |          | Small Entity |          | Fee Description        | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |                        |          |
| 1001         | 770      | 2001         | 385      | Utility filing fee     |          |
| 1002         | 340      | 2002         | 170      | Design filing fee      |          |
| 1003         | 530      | 2003         | 265      | Plant filing fee       |          |
| 1004         | 770      | 2004         | 385      | Reissue filing fee     |          |
| 1005         | 160      | 2005         | 80       | Provisional filing fee |          |

SUBTOTAL (1)

(\$ 0)

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

|                    |        | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------|--------------|----------------|----------|
| Total Claims       | -20 ** | = 0          | X              | = 0      |
| Independent Claims | -3 **  | = 0          | X              | = 0      |
| Multiple Dependent |        |              | X              | = 0      |

| Large Entity |          | Small Entity |          | Fee Description  |
|--------------|----------|--------------|----------|--|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |  |
| 1202         | 18       | 2202         | 9        | Claims in excess of 20                                     |
| 1201         | 86       | 2201         | 43       | Independent claims in excess of 3                          |
| 1203         | 290      | 2203         | 145      | Multiple dependent claim, if not paid                      |
| 1204         | 86       | 2204         | 43       | ** Reissue independent claims over original patent         |
| 1205         | 18       | 2205         | 9        | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2)

(\$ 0)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

| Large Entity |          | Small Entity |          | Fee Description  | Fee Paid |
|--------------|----------|--------------|----------|--|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |  |          |
| 1051         | 130      | 2051         | 65       | Surcharge - late filing fee or oath  | 130      |
| 1052         | 50       | 2052         | 25       | Surcharge - late provisional filing fee or cover sheet.                    |          |
| 1053         | 130      | 1053         | 130      | Non-English specification  |          |
| 1812         | 2,520    | 1812         | 2,520    | For filing a request for reexamination                                     |          |
| 1804         | 920*     | 1804         | 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 1805         | 1,840*   | 1805         | 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 1251         | 110      | 2251         | 55       | Extension for reply within first month                                     |          |
| 1252         | 420      | 2252         | 210      | Extension for reply within second month                                    |          |
| 1253         | 950      | 2253         | 475      | Extension for reply within third month                                     |          |
| 1254         | 1,480    | 2254         | 740      | Extension for reply within fourth month                                    |          |
| 1255         | 2,010    | 2255         | 1,005    | Extension for reply within fifth month                                     | 2,010    |
| 1401         | 330      | 2401         | 165      | Notice of Appeal   |          |
| 1402         | 330      | 2402         | 165      | Filing a brief in support of an appeal                                     |          |
| 1403         | 290      | 2403         | 145      | Request for oral hearing   |          |
| 1451         | 1,510    | 1451         | 1,510    | Petition to institute a public use proceeding                              |          |
| 1452         | 110      | 2452         | 55       | Petition to revive - unavoidable   |          |
| 1453         | 1,330    | 2453         | 665      | Petition to revive - unintentional   |          |
| 1501         | 1,330    | 2501         | 665      | Utility issue fee (or reissue)   |          |
| 1502         | 480      | 2502         | 240      | Design issue fee   |          |
| 1503         | 640      | 2503         | 320      | Plant issue fee  |          |
| 1460         | 130      | 1460         | 130      | Petitions to the Commissioner  | 130      |
| 1807         | 50       | 1807         | 50       | Processing fee under 37 CFR 1.17 (q)                                       |          |
| 1806         | 180      | 1806         | 180      | Submission of Information Disclosure Stmt                                  |          |
| 8021         | 40       | 8021         | 40       | Recording each patent assignment per property (times number of properties) |          |
| 1809         | 770      | 2809         | 385      | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 1810         | 770      | 2810         | 385      | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 1801         | 770      | 2801         | 385      | Request for Continued Examination (RCE)                                    |          |
| 1802         | 900      | 1802         | 900      | Request for expedited examination of a design application                  |          |

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 2,270)

## SUBMITTED BY

## Complete (if applicable)

|                   |              |                                   |              |           |                |
|-------------------|--------------|-----------------------------------|--------------|-----------|----------------|
| Name (Print/Type) | DAVID A. HEY | Registration No. (Attorney/Agent) | 32,351       | Telephone | (908) 771-6385 |
| Signature         |              | Date                              | July 7, 2004 |           |                |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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## THE BOC GROUP

575 Mountain Avenue, Murray Hill, New Jersey 07974-2082

Tel: (908) 464-8100

**Certified Mail**

**Return Receipt Requested**

January 30, 2004

Mr. Charles M. Winterfeldt  
10195 Bell Avenue  
Plato, MN 55370

RE: U.S. Patent Application No. 10/601,687  
Filed: June 23, 2003  
Entitled: Method And Apparatus For Self-Configuring Supervisory Control And  
Data Acquisition (SCADA) System For Distributed Control  
Atty. Dkt.: M02A442


Dear Mr. Winterfeldt:

In reference to my July 31, 2003 letter, our records indicate that the declaration, assignment and power of attorney forms relating to the subject application have not been returned to me for filing with the US Patent and Trademark Office.

So that we may complete the filing requirements of the subject application, please let me know as soon as possible when I may receive back from you the executed documents. If you did not receive my letter, please let me know and I will re-send it.

Thank you for your immediate attention to this matter. If you have any questions, please let me know.

Sincerely yours,



Ira Lee Zebrak, Esq.  
Senior Counsel - Intellectual Property  
Legal Services

E-mail: ira.zebrak@boc.com  
Tel: (908) 771-6469  
Fax: (908) 771-6159  
Assistant: Ms. Betty Lee (908) 771-6481

ILZ:bjl



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**Mr. Charles M. Winterfeldt**  
 Street, Apt. No., or PO Box No.  
**10195 Bell Avenue**  
 City, State, ZIP+4  
**Plato, MN 55370**

PS Form 3811, July 1999

See Reverse for Instructions

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- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

**Mr. Charles M. Winterfeldt**  
**10195 Bell Ave.**  
**Plato, MN 55370**

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) *CM Winterfeldt* B. Date of Delivery *2-3-09*

C. Signature *CM Winterfeldt*  
☐ Agent  
☒ Addressee

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☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Copy from service label)

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**The BOC Group Inc**  
**Intellectual Property Department**  
**575 Mountain Avenue**  
**Murray Hill New Providence**  
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